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5 Attorney for Plaintiff,  
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7  
8 IN THE UNITED STATES DISTRICT FOR  
THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 ) Case No. C 06-07836 JSW  
11 R.K., a minor, by and through his parents, C.K. )  
and T.K. ) APPLICATION OF PARTIES,  
12 Plaintiff, ) STIPULATION AND  
13 v. ) [PROPOSED] ORDER TO CHANGE  
14 ) TIME  
15 HAYWARD UNIFIED SCHOOL )  
DISTRICT, *et al.* )  
16 )  
17 Defendants. )  
18 )  
19 )  
20 )

21 **TO THE HONORABLE COURT, DEFENDANT CALIFORNIA DEPARTMENT OF**  
22 **EDUCATION AND THEIR ATTORNEY OF RECORD:**

23 I, Mandy Leigh, declare:

- 24 1. WHEREAS I am the attorney for Plaintiff in the above-entitled action. This declaration is  
25 in support of the request for an order to change time signed by counsel in the above-  
26 captioned matter.
- 27 2. WHEREAS on February 6, 2007, Defendant California Department of Education  
28

- 1 ("CDE") moved to dismiss Plaintiff's Complaint.
- 2 3. WHEREAS on February 8, 2007, Judge White set forth in his Order Setting Brief  
3 Schedule that Plaintiff's opposition to CDE's Motion to Dismiss shall be due by February  
4 23, 2007 and CDE's Reply brief shall be due by March 2, 2007.
- 5 4. WHEREAS Judge White indicated the parties may, for good cause shown, through  
6 stipulation and proposed order request to modify the above-mentioned Brief Schedule.
- 7 5. WHEREAS Mandy Leigh, attorney for Plaintiff, requests a one-week extension to file the  
8 Reply in that she has another matter set for oral argument on February 23 before Judge  
9 Illston in the United States District Court Northern District Court of California which  
10 requires extensive preparation, time focus and attention.
- 11 6. WHEREAS both the instant matter and the matter before Judge Illston involve complex  
12 issues of law and facts and it is therefore critical that lead counsel, Mandy Leigh, has  
13 ample time to prepare to avoid any prejudice to her respective clients.
- 14 7. The effects of the requested time modification will be to extend by one week Plaintiff's  
15 time for filing his opposition and Defendant CDE's time for filing a Reply. As such,  
16 Plaintiff's opposition shall be due on March 2, 2007 and CDE's Reply shall be due on  
17 March 9, 2007.
- 18 8. Whereas Plaintiff and Defendant CDE expressly stipulate to the above-mentioned request  
19 for extension.

20 Signed as declaration and for Stipulation

21 DATED: February 12, 2007

22 \_\_\_\_\_  
Mandy G. Leigh

23 Attorney for Plaintiff K.S.

25 Signed for CDE as to Stipulation

26 DATED: February 12, 2007

27 \_\_\_\_\_  
Gabriel Vivas

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~~[PROPOSED]~~ ORDER

FOR GOOD CAUSE SHOWN, this Court grants the parties' application to extend the time set for Plaintiff's opposition and CDE's reply as set forth in the February 8, 2007 Order Setting Brief Schedule by one week.

**IT IS SO ORDERED.**

DATED: February 14 , 2007

*Jeffrey S. White*  
Honorable Jeffrey S. White  
United States District Court Judge